

Introduced by Senator Romero

February 27, 2009

An act to add Article 5 (commencing with Section 52065) to Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code, relating to school accountability.

LEGISLATIVE COUNSEL'S DIGEST

SB 742, as introduced, Romero. School accountability: lowest performing schools.

(1) The Public Schools Accountability Act of 1999 requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop the Academic Performance Index (API), consisting of a variety of indicators, to be used to measure the performance of schools. Existing law requires the Superintendent to develop, and the state board to adopt, expected annual percentage growth targets for all schools based on their API baseline score and prescribes a minimum percentage growth target of 5% annually.

The act also establishes the Immediate Intervention/Underperforming Schools Program (IIUSP). Schools that score below the 50th percentile on certain achievement tests are invited to participate in the program and are provided program funding. Twenty-four months after receiving IIUSP funding, a school that fails to meet its growth targets each year, but demonstrates significant growth, as determined by the state board, continues to participate in the program for an additional year and to receive funding. If a school fails to meet its growth targets each year and does not demonstrate significant growth, it is deemed a state-monitored school and the Superintendent is required to take specified actions with regard to the school.

This bill would require the state board, beginning in the 2010–11 school year, and each school year thereafter, to identify the 10 historically lowest performing schools in the state, based on the results of specified measures, including the API, and other criteria. The state board would be required to direct the identified schools to take at least one of 3 specified actions, including restructuring the internal operations of the school, reopening as a public charter school, or, to the extent that it is not otherwise prohibited under law, operating under the oversight of a nonprofit management company with which the state board has entered into a contract. The bill would include additional options for the state board to select from if the identified school is a charter school, including, but not limited to, directing the school to reopen under the management of a statewide benefit charter management organization based on a plan approved by the state board.

Because this bill would require schools identified as the historically lowest performing schools in the state to take specified actions, it would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 5 (commencing with Section 52065) is
2 added to Chapter 6.1 of Part 28 of Division 4 of Title 2 of the
3 Education Code, to read:

4

5 Article 5. Accountability Measures for Lowest Performing
6 Schools
7

8 52065. (a) Beginning in the 2010–11 school year, and each
9 school year thereafter, the state board shall identify the 10
10 historically lowest performing schools in the state. The state board
11 shall base its determination on the results of the California

1 Standards Test, Academic Performance Index, adequate yearly
2 progress pursuant to the federal No Child Left Behind Act of 2001
3 (20 U.S.C. Sec. 6301 et seq.), dropout and graduation rates, and
4 any other measures the state board deems appropriate. The state
5 board, in the 2010–11 school year, and each school year thereafter,
6 shall direct the local educational agency responsible for each
7 identified school to do at least one of the following:

8 (1) Restructure the internal operations of the school, including,
9 but not necessarily limited to, school leadership, certificated and
10 classified staff, and curriculum, based on a plan approved by the
11 state board.

12 (2) To the extent that it is not otherwise prohibited under law,
13 operate the school under the oversight of a nonprofit management
14 company with which the state board has entered into a contract.

15 (3) Reopen as a public charter school.

16 (b) If a school identified pursuant to subdivision (a) is a charter
17 school, the state board, in the 2010–11 school year, and each school
18 year thereafter, shall direct the local educational agency responsible
19 for the identified charter school to do at least one of the following:

20 (1) Perform the actions specified in either paragraph (1) or (2)
21 of subdivision (a).

22 (2) Reopen the school under the management of a statewide
23 benefit charter management organization based on a plan approved
24 by the state board.

25 (3) Facilitate a review of the school by the Superintendent
26 pursuant to Section 47604.5 and facilitate the implementation of
27 the appropriate action, if any, directed by the state board pursuant
28 to any findings made pursuant to Section 47604.5.

29 SEC. 2. If the Commission on State Mandates determines that
30 this act contains costs mandated by the state, reimbursement to
31 local agencies and school districts for those costs shall be made
32 pursuant to Part 7 (commencing with Section 17500) of Division
33 4 of Title 2 of the Government Code.